

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDON LEE GARZA,

Plaintiff

Case No. 2:24-cv-02240-CDS-BNW

ORDER

v.

A. W. WILLIAMS, *et al.*,

Defendants

I. DISCUSSION

On February 26, 2025, Plaintiff Brandon Lee Garza, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), filed an application to proceed *in forma pauperis*. (ECF Nos. 7). However, Plaintiff’s application to proceed *in forma pauperis* is incomplete. Plaintiff has not submitted a completed financial certificate and a copy of his prison trust fund account statement for the previous six-month period with his application.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 **II. CONCLUSION**

3 For the foregoing reasons, it is ordered that the Clerk of the Court will send Plaintiff
4 the approved form application to proceed *in forma pauperis* by an inmate, as well as the
5 document entitled information and instructions for filing an *in forma pauperis* application.

6 It is further ordered that Plaintiff has **until April 11, 2025**, to either pay the full \$405
7 filing fee or file a completed financial certificate and a copy of his prison trust fund account
8 statement for the previous six-month period.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
11 to refile the case with the Court, under a new case number, when Plaintiff can file a
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

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14 DATED: March 7, 2025

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17 UNITED STATES MAGISTRATE JUDGE
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